



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#7/Revoc/
App# 09/510038
2/22/02
12/16/02

Patent Application

Inventor(s) Mark M. Meyers

Stephen O'Brien

Case 1-8

Serial No. 09/510038

Filing Date 2/22/2000

Examiner Gioacchino Inzirillo

Group Art Unit 2828

Title Optical Assembly

ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C.
20231

SIR:

REVOCATION OF POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

I hereby revoke all previous powers of attorney or authorization of agent given in the above-identified application. An Agreement Regarding Powers of Attorney and General Appointment of Agent and Power of Attorney is submitted herewith.

Firm Name: Lester H. Birnbaum
Address: 6308 Sauterne Drive
Macungie, PA 18062
Telephone: (610) 530-9166 FAX: (610) 530-2695

I represent the assignee of record of the entire interest who is entitled to prosecute this application to the exclusion of the named inventors or the previous assignee pursuant to 37 CFR 3.71. A statement under 37 CFR 3.73(b) is enclosed.

Respectfully,

Lester H. Birnbaum, Attorney
Reg. No. 25,830
610-530-9166

Date: 11/25/02

Lester H. Birnbaum
6308 Sauterne Drive
Macungie, PA 18062



**AGREEMENT REGARDING
POWERS OF ATTORNEY**

by and between

LUCENT TECHNOLOGIES INC.

and

AGERE SYSTEMS INC.

Dated as of February 1, 2001

**RECEIVED
DEC - 3 2002
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AGREEMENT REGARDING POWERS OF ATTORNEY

This Agreement is effective as of February 1, 2001 between LUCENT TECHNOLOGIES INC., a Delaware corporation ("LUCENT"), having an office at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, for itself and on behalf of its Subsidiaries (each and all herein after "LUCENT") and AGERE SYSTEMS INC., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("AGERE").

WHEREAS, the Board of Directors of LUCENT has determined that it is in the best interests of LUCENT and its stockholders to separate LUCENT's existing businesses into two independent businesses; and


WHEREAS, as part of the foregoing, LUCENT has assigned certain United States and corresponding foreign patents and patent applications to AGERE, which patents and applications were filed in the name of LUCENT and various of its subsidiaries and predecessors, including AT&T Corp., a New York corporation and various of its subsidiaries; and

WHEREAS, in order to effect its rights under such patents and to prosecute such patent applications, including recording such assignments, AGERE representatives need Power of Attorney from LUCENT and predecessors of LUCENT.

THEREFORE, LUCENT agrees to provide AGERE employees and employees of AGERE affiliated companies with Powers of Attorney in the form attached to act for LUCENT, any of its wholly-owned subsidiaries, and any of such predecessors with respect to such issued patents and pending patent applications in the names of LUCENT, such subsidiaries or any of such predecessors.


AGERE agrees to use such Powers of Attorney only with respect to those certain patents and patent applications which were assigned to AGERE by LUCENT.

LUCENT TECHNOLOGIES INC.

By: 
Daniel P. McCurdy
President - Intellectual Property Business

Date: 1/30/01

AGERE SYSTEMS INC.

By: 
Gerard A. deBlasi
Vice President - Law

Date: 1/30/01

GENERAL APPOINTMENT OF AGENT

And


POWER OF ATTORNEY

Lucent Technologies Inc., for itself and its subsidiaries, and as successor in interest to patents of AT&T Corp. and its subsidiaries, hereby appoints:

Gerard A. deBlasi
Fred M. Romano
Scott W. McLellan
Richard J. Botos
Marie MacNichol
Geraldine Monteleone
Scott Rittman
Anthony Grillo
David Smith
Robert P. Marley
John Veschi
Mark Kurisko
Les Birnbaum

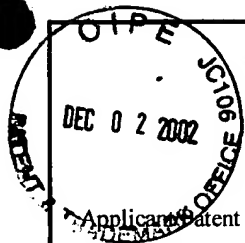
as agents and attorneys to act on its and on Lucent Technologies Inc.'s behalf before any competent National and International Authorities in connection with any and all patents and patent applications filed by Lucent Technologies Inc., its wholly-owned subsidiaries or its predecessors, or issued or pending in the name of Lucent Technologies Inc., or any of its wholly-owned subsidiaries or predecessors, with the power to further appoint agents, and grant powers of attorney in connection therewith.

Lucent Technologies Inc.

By: 
Daniel P. McCurdy
President - Intellectual Property Business

Date: 1/30/01

Attorney	Reg. No.
Gerard A. deBlasi	Reg. No. 34149
Fred M. Romano	Reg. No. 32752
Scott W. McLellan	Reg. No. 30776
Richard J. Botos	Reg. No. 32016
Marie MacNichol	Reg. No. 35941
Geraldine Monteleone	Reg. No. 40097
Scott Rittman	Reg. No. 39010
Anthony Grillo	Reg. No. 36535
David Smith	Reg. No. 30592
Robert P. Marley	Reg. No. 32914
John Veschi	Reg. No. 39058
Mark Kurisko	Reg. No. 38944
Les Birnbaum	Reg. No. 25830



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Agere Systems Inc.

Application No./Patent No.: 09/510038 Filed/Issued Date: 2/22/2000

Entitled: Optical Assembly
Agere Systems Inc corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

States that it is :

- 1. ☒ the assignee of the entire right, title, and interest; or
- 2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel_____, Frame____, or for which a copy thereof is attached.

OR

B. ☒ A Chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- 1. From Inventor(s) To: Lucent Technologies Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 010625, Frame 0396, or for which a copy thereof is attached.
- 2. From Lucent Technologies Inc. To: Agere Systems Optoelectronics Guardian Corp.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
- 3. From Agere Systems Optoelectronics Guardian Corp. To: Agere Systems Guardian Corp.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
- 4. From Agere Systems Guardian Corp. To: Agere Systems Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

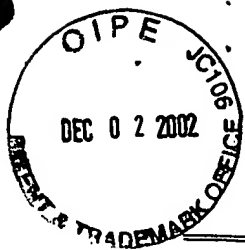
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

11/25/02
Date

Lester H. Birnbaum
Typed or printed name
[Signature]
Signature
Attorney
Title



EXECUTION COPY

PATENT ASSIGNMENT

by and between

LUCENT TECHNOLOGIES INC.

and

AGERE SYSTEMS OPTOELECTRONICS GUARDIAN CORP.

Dated as of January 30, 2001

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PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Optoelectronics Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Optoelectronics Guardian").

RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Optoelectronics Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Optoelectronics Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Optoelectronics Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Optoelectronics Guardian Corp.).

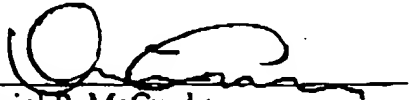
ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and

Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Optoelectronics Guardian, but at Agere Systems Optoelectronics Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Optoelectronics Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Optoelectronics Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

LUCENT TECHNOLOGIES INC.

By: 
Daniel P. McCurdy
President, Intellectual Property Business

**AGERE SYSTEMS OPTOELECTRONICS
GUARDIAN CORP.**

By: 
Fred M. Romano
President

ACKNOWLEDGMENTS

STATE OF NEW JERSEY)

: ss:

COUNTY OF SOMERSET)

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and

b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name

Notary Public

My Commission Expires **TAMORA ANNE HANNA**

[Notarial Seal]

Notary Public of New Jersey

Registered in Hunterdon County

My Commission Expires March 25, 2002

STATE OF FLORIDA)

: ss:

COUNTY OF ORANGE)

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Optoelectronics Guardian Corp. ; and

b.) this Patent Assignment was signed and made by Agere Systems Optoelectronics Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.

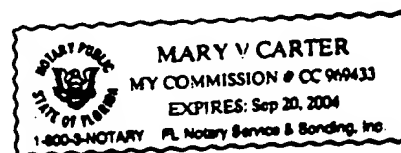


Name

Notary Public

My Commission Expires:

[Notarial Seal]



APPENDIX B (continued)
Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
Johnson 8	10/12/1999			09/416323
Johnson 8	12/29/1998			09/221726
Johnston 38	12/23/1996		08/771943	
Johnston 40-6-25				09/287683
Jordan 2-14				09/573988
Joyce 15	1/25/1999			09/236720
Joyce 16	3/3/1999			09/261530
Joyce 19-15				09/252724
Joyce 7	3/27/1998		09/049669	
Keska 1-1-1-27-2				09/344656
Keska 2-2-2-1-28-1-3				09/344657
Keska 3-3-30				09/293299
Khan 10-6	12/29/1998			09/222165
Khan 6-2	8/14/1997	5/16/2000	6064788	
Khan 9	9/17/1998	8/8/2000	09/156306	6100968
Kim 5	5/4/1999			09/305018
Knox 42-1-1	2/29/2000			09/515812
Knox 46	3/2/2000			09/517342
Koch 27-2	6/20/1997	5/30/2000	6069732	
Koch 33-3	9/23/1999			09/401901
Koch 34-1-6-31				09/480863
Koeppen 1-11	6/8/1998		09/093323	
Koren 31-1-7	12/23/1997		08/997204	
Koren 33-15	5/14/1998		09/078808	
Kowalski 1	1/28/2000			09/493749
Krishnamoorthy 17	8/31/1998		09/144379	
Krishnamoorthy 19	6/12/1998	5/23/2000	6067307	
Krishnamoorthy 35				09/495305
Lampert 28	6/16/1998	8/15/2000	09/098276	
Lelu 2	3/27/2000			09/462238
Leonowich 20-7				09/465683
Li 15	4/29/1997		08/841021	
Li 17	8/29/1997		08/921911	
Liu 1-16	2/8/2000			60/180855
Lloyd 4-1-2	7/21/1995		08/505548	
Lloyd 6-2-3	4/16/1997		08/834334	
Lumish 2-2	8/3/1998		09/128618	
Ma 27-2-7	5/20/1999			09/315694
Mamyshev 10-40-14	5/18/1998		09/080551	
Marcuse 30-78	8/14/1998		09/134121	
Mess 2-8	6/29/1998		09/106790	
Meyers 1-8	2/22/2000			09/510038
Miller 1-1	12/2/1998			09/204405
Mills 12-12	10/8/1998			09/167971
Mizuhara 8-7				09/498376
Morris 29	11/10/1999			09/438070
Murphy 15	8/23/1999			09/379641
Nabulsi 1-8-2				09/349006

CERTIFICATE OF OWNERSHIP AND MERGER

OF

**Agere Systems Guardian Corp.
(a Delaware corporation)**

INTO

**Agere Systems Inc.
(a Delaware corporation)**

**UNDER SECTION 253 OF THE GENERAL
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), **DOES HEREBY CERTIFY:**

FIRST: The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

SECOND: On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

RESOLVED that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

THIRD: That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

AGERE SYSTEMS INC.

By Paul Bento
Paul Bento, Vice President

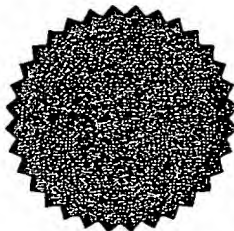
The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION,
WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

3268412 8100M

AUTHENTICATION: 1959517

020545223

DATE: 08-29-02

CERTIFICATE OF MERGER
OF
AGERE SYSTEMS OPTOELECTRONICS GUARDIAN CORP.
WITH AND INTO
AGERE SYSTEMS GUARDIAN CORP.
UNDER SECTION 251 OF THE GENERAL
CORPORATION LAW OF THE STATE OF DELAWARE

Pursuant to Section 251(c) of the General Corporation Law of the State of Delaware, Agere Systems Guardian Corp. hereby certifies the following information relating to the merger of Agere Systems Optoelectronics Guardian Corp. with and into Agere Systems Guardian Corp.:

1. The names and states of incorporation of each constituent corporation in the merger are:

<u>Name</u>	<u>State of Incorporation</u>
Agere Systems Optoelectronics Guardian Corp.	Delaware
Agere Systems Guardian Corp.	Delaware

2. An Agreement and Plan of Merger setting forth the terms and conditions of the merger, has been approved, adopted, certified, executed and acknowledged by each of Agere Systems Optoelectronics Guardian Corp. and Agere Systems Guardian Corp. in accordance with the provisions of Section 251(c) of the General Corporation Law of the State of Delaware.

3. The name of the surviving corporation in the merger is Agere Systems Guardian Corp.

4. The Certificate of Incorporation of Agere Systems Guardian Corp. shall be the Certificate of Incorporation of the surviving corporation.

5. The executed Agreement and Plan of Merger is on file at the principal place of business of Agere Systems Guardian Corp. at Two Oak Way, Berkeley Heights, NJ 07922.

6. A copy of the Agreement and Plan of Merger will be furnished by Agere Systems Guardian Corp. on request and without cost, to any stockholder of Agere Systems Guardian Corp. or Agere Systems Optoelectronics Guardian Corp.

7. The authorized capital stock of Agere Systems Optoelectronics Guardian Corp. is 1,000 shares of common stock, no par value per share.

8. The Merger shall be effective as of 9:00 a.m. Eastern Standard Time on August 31, 2001.

IN WITNESS WHEREOF, this Certificate of Merger has been executed on this 23rd day of August 2001.

AGERE SYSTEMS GUARDIAN CORP.

By 
Gerard A. deBlasi
Vice President

State of Delaware
Office of the Secretary of State

PAGE 1

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"AGERE SYSTEMS OPTOELECTRONICS GUARDIAN CORP.", A DELAWARE CORPORATION,

WITH AND INTO "AGERE SYSTEMS GUARDIAN CORP." UNDER THE NAME OF "AGERE SYSTEMS GUARDIAN CORP.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FOURTH DAY OF AUGUST, A.D. 2001, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2001, AT 9 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3258123 8100M

AUTHENTICATION: 1311649

010418909

DATE: 08-24-01